

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 28, 2010

- D057307 In re I.C. et al., Juveniles**
Upon filing a written abandonment of appeal, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)
- D057611 D'Anna v. The Superior Court of San Diego County/Greenpoint Mortgage Funding, Inc.**
The petition is denied.
- D054522 Pennsylvania General Insurance Company v. American Safety Indemnity Company/National Union Fire Insurance Company of Pittsburgh**
The opinion filed June 3, 2010, is ordered certified for publication.
- D057305 Kitahara v. Litton Loan Servicing**
Pursuant to California Rules of Court, rule 8.140, the appeal filed May 11, 2010, is dismissed for appellant's failure to timely designate the record (Ca. Rules of Court, rule 8.121(a)).
- D056605 Canfield Funding v. P.C. Specialists**
Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 8.220(a). The appeal is dismissed.
- D057326 M.T. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
No timely petition for writ relief has been filed. The notice of intent is deemed to be abandoned. The case is dismissed.
- D057309 J.R. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
No timely petition for writ relief has been filed. The notice of intent is deemed to be abandoned. The case is dismissed.
- D057323 L.V. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
No timely petition for writ relief has been filed. The notice of intent is deemed to be abandoned. The case is dismissed.

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- D055686 People v. Macias**
The judgment is affirmed. McConnell, P.J.; We Concur: McIntyre, J., Irion, J.
- D054688 City of San Diego v. San Diego Employees' Retirement System**
The opinion filed June 7, 2010, is ordered certified for publication.
- D055310 City of Santee v. County of San Diego et al. v. State of California, Department of Corrections and Rehabilitation**
The opinion filed June 7, 2010, is certified for publication.
- D055350 In re Tobacco Cases I**
The order is affirmed. The People are entitled to costs on appeal. CERTIFIED FOR PUBLICATION. McConnell, P.J.; We Concur: Huffman, J., McIntyre, J.
- D054124 Safaie et al. v. Elmendorf**
Affirmed; motion for sanctions denied. Costs are awarded to Elmendorf. Huffman, J.; We Concur: Benke, Acting P.J., McIntyre, J.
- D055077 Gehlsen v. Gehlsen**
Affirmed. Costs on appeal to be borne by each party respectively. Huffman, Acting P.J.; We Concur: McIntyre, J., Irion, J.
- D055922 In re N.F., a Juvenile**
The orders are affirmed. McIntyre, J.; We Concur: Benke, Acting P.J., Irion, J.
- D057576 In re Watts on Habeas Corpus**
The petition is denied.
- D057476 In re Thrasher on Habeas Corpus**
The petition is denied.
- D057444 In re Lopez on Habeas Corpus**
The petition is denied.
- D057459 In re Walters on Habeas Corpus**
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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DIVISION ONE
June 30, 2010

D054982 People v. Garcia

The judgment is modified to strike the 10-year enhancement imposed under section 186.22, subdivision (b)(1)(C), and to impose in its place the 15-year parole eligibility minimum under section 186.22, subdivision (b)(5). The trial court is directed to modify the abstract of judgment accordingly and to forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.
Huffman, J.; I Concur: McConnell, P.J.; I Concur in the Judgment: McIntyre, J.

D056750 In re Charles W., a Juvenile

The appeal is dismissed. Huffman, J.; We Concur: Benke, Acting P.J., McIntyre, J.

D057396 In re Krone on Habeas Corpus

The petition is denied.

D057616 Rollo v. Superior Court of San Diego County/Speidel

The petition is denied.

D057619 Rollo v. Superior Court of San Diego County/Speidel et al.

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 1, 2010

D056567 Busch v. Brown

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 8.220(a). The appeal is dismissed.

D057278 Stevenson v. Blake et al.

Pursuant to California Rules of Court, rule 8.140, the appeal filed May 03, 2010, is dismissed for appellant's failure to timely designate the record (Cal. Rules of Court, rule 8.121 (a)).

D055220 Gardner Pool Plastering, Inc. v. Law

The request for publication of the opinion is denied.

D055220 Gardner Pool Plastering, Inc. v. Law

The petition for rehearing is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 2, 2010

- D054878 Air Machine COM SRL et al. v. Superior Court of San Diego County/Sukumar et al.**
Let a peremptory writ issue directing the superior court to vacate its March 5, 2009 order denying petitioners' motions to quash service of summons for lack of personal jurisdiction and to conduct further proceedings on petitioners' motions to quash without regard to whether they waived their jurisdictional challenge by serving Sukumar with the 998 offer. The stay issued on December 11, 2009, is vacated. Petitioners are to recover their costs in this writ proceeding. (Cal. Rules of Court, rule 8.493(a)(2).) Benke, Acting P.J.; We Concur: Huffman, J., Irion, J.
- D057018 In re George A., a Juvenile**
The appeal is dismissed. Benke, Acting P.J.; We Concur: McIntyre, J., Aaron, J.
- D055579 Torrey Hills Community Coalition v. City of San Diego et al./Westbrook Torrey Hills, L.P. et al.**
The judgment is affirmed. Respondents are entitled to costs on appeal.
CERTIFIED FOR PUBLICATION.
McConnell, P.J.; We Concur: McIntyre, J., Irion, J.
- D055429 Hill v. Schwarzenegger et al.**
The judgment is affirmed. Each party shall bear its own costs on appeal. (Cal. Rules of Court, rule 8.278(a)(5).)
McIntyre, J. We Concur: Huffman, Acting P.J., O'Rourke, J.
- D054388 Schuster v. Schuster**
The judgment is affirmed. Jeffrey's motion for sanctions is denied. He is entitled to costs on appeal. McConnell, P.J.; We Concur: Huffman, J., Irion, J.
- D056600 In re P. B., a Juvenile**
The orders are affirmed. McDonald, Acting P.J.; We Concur: Aaron, J., Irion, J.
- D056484 In re L.D., a Juvenile**
The ICWA findings are reversed. This case is remanded to the juvenile court with directions to order the Agency to complete ICWA-030 and provide ICWA notice as stated in this opinion, and to file all required documentation with the juvenile court. "The court shall advise the parents that if [L.D.] is determined to be an Indian child within the meaning of ICWA, they have the right to petition the court to invalidate any action in violation of 25 United States Code, sections 1911, 1912 and 1913. (25 U.S.C. § 1914.)" (*Damian C.*, *supra*, 178 Cal.App.4th at p. 200.)
Haller, Acting P.J.; We Concur: McIntyre, J., Aaron, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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DIVISION ONE
July 2, 2010 (Continued)

D057511 In re R.R. et al., Juveniles

This matter has been reviewed by Associate Justices Haller, Benke and Huffman.
The notice of appeal challenges an order that is not appealable in that it precedes the
dispositional judgment. The appeal is dismissed.

D056371 In re Brianna C. et al., Juveniles

The orders are affirmed. Irion, J.; We Concur: McConnell, P.J., Aaron, J.